

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

RACHEL SMITH, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

LUXOTTICA RETAIL NORTH AMERICA, INC.  
AND EYEXAM OF CALIFORNIA, INC.,

Defendants.

Case No.: 14cv366-JAH(BLM)

**ORDER GRANTING JOINT MOTION  
FOR STIPULATED PROTECTIVE ORDER  
WITH MODIFICATIONS**

**[ECF No. 60]**

On July 3, 2020, the parties filed a joint motion requesting that the Court enter the parties' Protective Order. ECF No. 60. The Court has considered the Stipulated Protective Order and, for good cause shown, the joint motion is **GRANTED** with the following modifications:

Paragraph C4 should read: "Witnesses at depositions of this action provided that: (a) the party noticing the deposition provides the designating party with seven days advance notice that Protected Information will be used at the deposition, (b) the witness executes a copy of the form attached hereto as Exhibit A, in advance of receiving any Protected Information, and (c) pages of the transcribed deposition testimony and exhibits that reveal Protected Information must be separately bound by the court reporter and may not be disclosed to anyone except as permitted under this protective order."

Paragraph C5 should read: "Independent Experts or consultants retained by a Party solely to assist in the conduct of this action, including employees of the firm with which the expert or consultant is associated to the extent necessary for purposes of this action only, provided that such experts are not employed by, consultants for, or otherwise affiliated with, the Parties' competitors, and further provided that such experts execute a copy of the form attached hereto as Exhibit A and provide a copy to the designating party, in advance of receiving any Protected Information."

Paragraph D should read: Except as otherwise authorized by this Order, information designated as "CONFIDENTIAL - ATTORNEYS' EYES ONLY" shall be used only in connection with this action, shall not be disclosed to any person other than counsel of record, and independent experts or consultants retained by a Party solely to assist in the conduct of this action, including employees of the firm with which the expert or consultant is associated to the extent necessary for purposes of this action only, provided that such experts are not employed by, consultants for, or otherwise affiliated with, the Parties' competitors, and further provided that such experts execute a copy of the form attached hereto as Exhibit A and provide a copy to the designating party, in advance of receiving any Protected Information."

**IT IS SO ORDERED.**

Dated: 7/6/2020

*Barbara Major*  
Hon. Barbara L. Major  
United States Magistrate Judge